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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,109	06/15/2001	John J. Altavilla	FIS920000193US1	7735

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EXAMINER

ENGLAND, DAVID E

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/882,109

Applicant(s)

ALTAVILLA ET AL.

Examiner

David E. England

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 6, 7, 9, 11, 15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 6, 7, 9, 11, 15 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1 – 5, 7, 9, 11, 15 and 17 are presented for examination.

#### ***Claim Objections***

2. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The limitation of “prompting a user” is well known in the art to occur whenever a user deals with sending, receiving and editing an email message.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 5, 7, 9, 11, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukumoto et al. U.S Publication No. 2001/0051987 (hereinafter Fukumoto) in view of Rochkind U.S. Patent No. 6301608.

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5. As per claim 1, as closely interpreted by the Examiner, Fukumoto teaches a process for identifying an attention level in an electronic mail text message being sent to multiple recipients comprising:

6. creating a list of addresses for said recipients, (e.g., ¶ 0048 – 0052);

7. identifying a specific portion of said text message to be highlighted for a specific address, (e.g., ¶ 0048 – 0052);

8. a tag identifying said specific highlighted portion, (e.g., ¶ 0048 – 0052);

9. sending said text message to each of said recipients which includes each of said addresses and the appended tags, (e.g., ¶ 0061 – 0065); and

10. displaying for each recipient said text message with an attention level indication in response to the tag associated with the recipients address and with said specific portion highlighted for said recipient having said specific address, (e.g., ¶ 0048 – 0052, 0071 – 0073).

Fukumoto does not explicitly teach appending to each of said addresses a tag representing an attention level for said recipients. Rochkind teaches appending to each of said addresses a tag representing an attention level for said recipients, (e.g., col. 6, lines 12 – 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rochkind with Fukumoto because correlating a specific recipient's address with a section of a email message to be highlighted for their specific attention will give a specific recipient the ability to pay attention and identify at a glance, the important parts of the email that pertain to that specific recipient.

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11. As per claim 3, Fukumoto does not specifically teach selecting said attention level from a table displayed on a user's display screen;
12. selecting an address from a table containing said address list;
13. attaching a tag representing said attention level to said selected address.
14. Rochkind teaches selecting said attention level from a table displayed on a user's display screen, (e.g., col. 6, lines 12 – 40);
15. selecting an address from a table containing said address list, (e.g., col. 6, lines 12 – 40);
16. attaching a tag representing said attention level to said selected address, (e.g., col. 6, lines 12 – 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rochkind with Fukumoto because of similar reasons stated above and furthermore it is well known in the art that utilizing a graphical user interface (GUI) is visually more convenient for a user to initiate commands as in a web page or Windows type system than a non-GUI system that would require specific commands to carry out tasks such as DOS or Unix.
17. As per claim 4, Fukumoto does not specifically teach attaching a tag representing a default attention level when an attention level is not specified for an address.
18. Rochkind teaches attaching a tag representing a default attention level when an attention level is not specified for an address, (e.g. col. 6, lines 33 – 46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rochkind with Fukumoto because it would be more convenient for a user to not have to always select an attention level if there is nothing to draw the user's attention to.

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19. As per claim 5, Fukumoto does not specifically teach ordering each message to be displayed by a recipient according to said attention level. Rochkind teaches ordering each message to be displayed by a recipient according to said attention level, (e.g. Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rochkind with Fukumoto because it would be more efficient for a user to view the emails that are most important to them first then emails that are less important or have no importance at all.

20. Claims 2 and 7, 9, 11, 15 and 17 are rejected for similar reasons as stated above.

### *Response to Arguments*

21. Applicant's arguments with respect to claims 1 – 5, 7, 9, 11, 15 and 17 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

23. a. Rubin et al. U.S. Patent No. 6820111 discloses Computer user interface architecture that saves a user's non-linear navigation history and intelligently maintains that history.

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24. b. McLellan et al. U.S. Patent No. 6854074 discloses Method of remotely monitoring an internet web site.
25. c. Wang et al. U.S. Patent No. 6442593 discloses Methods and apparatus for transmitting prioritized electronic mail messages.
26. d. Bates et al. U.S. Patent No. 6654791 discloses Method and apparatus for processing electronic mail using an importance indicator.
27. e. Bates et al. U.S. Patent No. 6789107 discloses Method and apparatus for providing a view of an electronic mail message.
28. f. Haynes U.S. Patent No. 6574671 discloses Granular assignation of importance to multiple-recipient electronic communication.
29. g. Dutta U.S. Publication No. 2005/0147778 discloses System and method for customized e-mail services.
30. h. Gupta et al U.S. Publication No. 20020099777 discloses Integrating collaborative messaging into an electronic mail program.

31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912.


The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England  
Examiner  
Art Unit 2143

De



DAVID WILEY  
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